

Notice of Allowability

Application No.

10/037,017

Examiner

Jason Prone

Applicant(s)

LAI ET AL.

Art Unit

3724

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the amendment filed 24 October 2005.
2. ☒ The allowed claim(s) is/are 1-4, 6-11 and 15-18.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

DETAILED ACTION

Allowable Subject Matter

1. Claims 1-4, 6-11, and 15-18 are allowed.
2. The following is an examiner's statement of reasons for allowance: Claims 1-4, 6-11, and 15-18 are allowable because of the method of engaging a first side of the sheet material with a first crack initiator having a high rake angle and extending from a first cutter base having a low rake angle, simultaneously engaging a second side of the sheet material with a second cutter, generating a first crack in the first side of the sheet material with the crack initiator, further propagating the first crack with a rake edge of the cutter base thereby disengaging the first crack initiator, the sheet material comprises a laminated web structure, and the first crack initiator has a height that is greater than a thickness of a protective laminate/coating on the first side of the laminated structure. None of the prior art cited discloses a method that incorporates engaging a first side of the sheet material with a first crack initiator having a high rake angle and extending from a first cutter base having a low rake angle, simultaneously engaging a second side of the sheet material with a second cutter, generating a first crack in the first side of the sheet material with the crack initiator, further propagating the first crack with a rake edge of the cutter base thereby disengaging the first crack initiator, the sheet material comprises a laminated web structure, and the first crack initiator has a height that is greater than a thickness of a protective laminate/coating on the first side of the laminated structure to cut sheet material. Therefore, in view of what has been stated above, the claims are allowable over the art of record. Applications 10/027,296,

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10/033,496, and 10/260,974 along with Patent 6,820,784 were reviewed with the instant application with respect to a possible double patenting rejection. Upon completion, it was concluded that a double patenting rejection did not apply and was not proper.

3. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jason Prone whose telephone number is (571) 272-4513. The examiner can normally be reached on 7:30-5:00, Mon - (every other) Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Allan N. Shoap can be reached on (571) 272-4514. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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A handwritten signature, possibly reading "JP", consisting of a stylized, cursive letter 'J' followed by a 'P'.

JP

January 05, 2006

A handwritten signature, possibly reading "Allan N. Shoap", consisting of a stylized, cursive 'A' followed by 'N. Shoap'.

Allan N. Shoap
Supervisory Patent Examiner
Group 3700